

## United States District Court

United States District Court  
Southern District of Texas  
FILED

SOUTHERN

DISTRICT OF

TEXAS

DEC 14 2014

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

David J. Bradley, Clerk

Primitivo Lopez-Elias

PRINCIPAL

Case Number:

A089 950 568

YOB:

1964

M-14-2357-M

the United Mexican States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 13, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Marta Noemi Campos-Romero and Pool Guillermo Rosales-Concha, citizens and nationals of Mexico, along with four (4) other undocumented aliens, for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near McAllen, Texas to the point of arrest near San Manuel, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On December 13, 2014, at approximately 10:00 p.m., Border Patrol Agents assisted Texas Department of Public Safety Troopers with a vehicle stop on U. S Highway 281 and Farm to Market 1017. Texas State Troopers initially stopped a red Toyota Corolla for disregarding a stop sign at the intersection of F.M.1017 and U.S. Highway 281 and after interviewing the driver and six passengers, Texas State Trooper requested the assistance of Border Patrol to determine the alienage of all subjects.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Derek Conrow Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

December 14, 2014

Date

McAllen, Texas

City and State

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-2357-M**

**RE: Primitivo Lopez-Elias**

**A089 950 568**

**CONTINUATION:**

Agents identified the driver of the red Toyota Corolla as Primitivo LOPEZ-Elias, as national and citizen of Mexico. LOPEZ also stated that he did not have immigration documents allowing him legal presence in the United States. After an immigration inspection of the passengers, all stated they did not have immigration documents allowing their legal presence in the United States. All were transported to the Weslaco Border Patrol Station for further processing.

**PRINCIPAL STATEMENT:**

At the Border Patrol Station, Primitivo LOPEZ-Elias was advised of his rights in the Spanish language by Agents and advised he understood his rights and did not wish to answer any questions without the presence of a lawyer.

**MATERIAL WITNESSES' STATEMENTS:**

Marta Noemi CAMPOS-Romero and Pool Guillermo ROSALES-Concha were advised of their rights. They stated they understood and were willing to answer all questions without the presents of a lawyer.

CAMPOS stated that she crossed illegally into the United States on December 10, 2014 near Hidalgo, Texas and was taken to a home at an unknown location. After staying at the home for an unknown amount of time, CAMPOS stated that a red four door car arrived at the home and the driver told her to come with him and sit in the front seat. CAMPOS states that the driver told the subjects in the backseat to duck down so not to be seen. CAMPOS was able to identify the driver, LOPEZ-Elias, Primitivo, through photo line-up as the driver of the red Toyota Corolla. CAMPOS-Romero claims to have paid \$1,200 up front then would pay an additional \$1,800 upon arrival to Houston, Texas.

ROSALES stated that he crossed illegally into the United States on November 29, 2014 and stayed at two stash houses; the last being an unknown address in McAllen, Texas. He claims that on the night of his apprehension, that a young man picked him and the other in the back seat up and drove them to meet with LOPEZ. At the rendezvous location, ROSALES and the others were directed to the back seat and told to duck down. ROSALES states that he could clearly see the driver once the Texas State Trooper removed LOPEZ from the vehicle for interview. Rosales identified, through a photo line-up as the driver of the red Toyota Corolla.